

# EXHIBIT 5

**RE: Juan Lopez v. Thermo Tech Mechanical, Inc, Gowkarran Budhu, and - Case 01-21-0004-9203**

Maggie Lalowski <LalowskiM@adr.org>

Thu 11/4/2021 2:45 PM

To: Jason Mizrahi <Jason@levinepstein.com>; CK Lee <cklee@leelitigation.com>

Cc: Asher Klein <asher@leelitigation.com>; Zachary Mercado <zachary@leelitigation.com>; James Jackson <james@leelitigation.com>; Taylor Flowers <taylor@leelitigation.com>

Thank you, the new arbitrator is in the process of submitting their oath and accepting the appointment.

Maggie



**Maggie Lalowski**  
**Divisional Liaison**

American Arbitration Association

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120 Broadway, 21st Floor, New York, NY 10271  
[adr.org](mailto:LalowskiM@adr.org) | [icdr.org](http://icdr.org) | [aamediation.org](http://aamediation.org)



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**From:** Jason Mizrahi <Jason@levinepstein.com>

**Sent:** Wednesday, November 3, 2021 4:16 PM

**To:** CK Lee <cklee@leelitigation.com>; Maggie Lalowski <LalowskiM@adr.org>

**Cc:** Asher Klein <asher@leelitigation.com>; Zachary Mercado <zachary@leelitigation.com>; James Jackson <james@leelitigation.com>; Taylor Grasdalen <taylor@leelitigation.com>

**Subject:** RE: Juan Lopez v. Thermo Tech Mechanical, Inc, Gowkarran Budhu, and - Case 01-21-0004-9203

\*\*\* External E-Mail – Use Caution \*\*\*

We consent to Claimant's request.

Jason Mizrahi, Esq.  
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**From:** CK Lee <cklee@leelitigation.com>

**Sent:** Tuesday, November 2, 2021 10:46 AM

**To:** Maggie Lalowski <LalowskiM@adr.org>

**Cc:** Jason Mizrahi <Jason@levinepstein.com>; Asher Klein <asher@leelitigation.com>; Zachary Mercado <zachary@leelitigation.com>; James Jackson <james@leelitigation.com>; Taylor Grasdalen <taylor@leelitigation.com>

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Jason pls confirm. Thanks

Sent from my iPhone

On Nov 2, 2021, at 8:49 AM, Maggie Lalowski <LalowskiM@adr.org> wrote:

<https://outlook.office.com/mail/deleteditems/id/AAQkAGY5M2UzYjdLWl0YmItNGE3MS1hZDg4LTEyZDI5Y2U1MWVhOQAQIdLx62YFUtbgoSY2A9C9Yg...> 1/3

Good Morning,

I will need opposing counsel to agree to remove the arbitrator and then the appointment of another will start.

Maggie Lalowski

<image78da04.PNG>

**Maggie Lalowski**  
**Divisional Liaison**

American Arbitration Association

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<image5145d3.PNG>

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**From:** CK Lee <[cklee@leelitigation.com](mailto:cklee@leelitigation.com)>

**Sent:** Monday, November 1, 2021 3:35 PM

**To:** Jason Mizrahi <[Jason@levinepstein.com](mailto:Jason@levinepstein.com)>

**Cc:** Maggie Lalowski <[LalowskiM@adr.org](mailto:LalowskiM@adr.org)>; Asher Klein <[asher@leelitigation.com](mailto:asher@leelitigation.com)>; Zachary Mercado <[zachary@leelitigation.com](mailto:zachary@leelitigation.com)>; James Jackson <[james@leelitigation.com](mailto:james@leelitigation.com)>; Taylor Grasdalen <[taylor@leelitigation.com](mailto:taylor@leelitigation.com)>

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Maggie can we pick a new arbitrator if his schedule is so packed he can't reschedule until Friday ? This was already adjourned previously on short notice and then cancelled today. Thanks

Sent from my iPhone

On Nov 1, 2021, at 3:26 PM, Jason Mizrahi <[Jason@levinepstein.com](mailto:Jason@levinepstein.com)> wrote:

Counsel for Respondents is unavailable Thursday (11/4) through and including next Friday (11/12).

Counsel for Respondents is available this Tuesday (11/2) or Wednesday (11/3), or a mutually convenient date and time the week of November 15.

JM

Jason Mizrahi, Esq.  
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**From:** Maggie Lalowski <[LalowskiM@adr.org](mailto:LalowskiM@adr.org)>

**Sent:** Monday, November 1, 2021 3:24 PM

**To:** [cklee@leelitigation.com](mailto:cklee@leelitigation.com); [asher@leelitigation.com](mailto:asher@leelitigation.com); [zachary@leelitigation.com](mailto:zachary@leelitigation.com);

6/7/22, 10:32 AM Case 1:20-cv-09113-LTS-BCM Document 49-1 Filed 06/08/22 Page 6 of 16

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Good Afternoon Counsel:

The arbitrator has emailed me his apologies, he was in the emergency room for a minor problem this morning and missed the scheduled call.

He has provided any time on Friday for a reschedule of the call. Please advise me of your availability as soon as you can.

Thank you,  
Maggie Lalowski

<image001.png>

**Maggie Lalowski**  
**Divisional Liaison**

American Arbitration Association

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